

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

PAMELA LYNN BRAFFORD-GEBHARDT,)	
)	No. CV-11-356-JPH
Plaintiff,)	
)	ORDER GRANTING STIPULATED
v.)	MOTION FOR REMAND
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

BEFORE THE COURT is the parties' stipulated motion to remand this case to the Commissioner for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g), **ECF No. 17**. Jeffrey Schwab represents Plaintiff. Special Assistant United States Attorney Debra Meachum represents Defendant. The parties have consented to proceed before a magistrate judge, **ECF No. 6**.

After considering the stipulated motion, **ECF No. 17**, **IT IS ORDERED** that the **motion is GRANTED. The case is REVERSED and REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings, including:

1. The ALJ will address the opening and revision issues related to Plaintiff's prior application dated August 11, 2006, in which she alleged an onset date of March 31, 2006, the same date she alleged disability in her pending application;

2. The ALJ will evaluate the issue of disability for the entire period at issue in accordance with the sequential

1 evaluation process, C.F.R. § 416.920;

2 3. The ALJ will utilize a medical expert to assess
3 Plaintiff's mental functioning during the entire period at issue;

4 4. The ALJ will reassess Plaintiff's residual functional
5 capacity in light of the entire record, including all opinions of
6 record and any additional evidence received; and

7 5. The ALJ will obtain evidence from a vocational expert if
8 necessary.

9 Because this remand is pursuant to sentence four with a
10 remand to the Commissioner for further proceedings (*see Melkonyan*
11 *v. Sullivan*, 501 U.S. 89 (1991)), Plaintiff is entitled to
12 reasonable attorney's fees and costs pursuant to 28 U.S.C. § 2412
13 (a), (d), upon proper request to this Court.

14 IT IS FURTHER ORDERED:

15 1. The parties' stipulated motion for an order of remand
16 pursuant to sentence four, ECF No. 17, is **GRANTED**.

17 2. Judgment shall be entered for **PLAINTIFF**.

18 3. An application for attorney fees and costs may be filed by
19 separate motion.

20 4. The District Court Executive is directed to enter this
21 Order, enter judgment for Plaintiff, forward copies to counsel,
22 and **CLOSE** the file.

23 **IT IS SO ORDERED.**

24 **DATED** this 27th day of June, 2012.

25 s/James P. Hutton
26 JAMES P. HUTTON
UNITED STATES MAGISTRATE JUDGE